

**Amendment and Response**

**Applicant: Brett M. Webb**

**Serial No.: 09/825,583**

**Filed: April 3, 2001**

**Docket No.: 10003931-1**

**Title: NETWORK BASED GIFT REMINDER AND PURCHASING SYSTEM**

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**REMARKS**

This Amendment is responsive to the Office Action mailed March 30, 2004. No claims have been cancelled and no claims have been allowed or objected to. Claims 1-20 were rejected. With this Response, claims 1-2, 4-5, 7-13, 15, 17-20 have been amended. Claims 1-20 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 101**

Claim 20 is rejected under 35 U.S.C. 101 as failing to describe a concrete useful and tangible result.

Applicant's amended independent claim 20 comprises a computer-readable medium having computer-executable instructions for performing a method of gift purchasing. In claim 20, a gift reminder service provider tracks gift ideas and related event dates for a user. The gift reminder service provider generates a reminder including at least one activatable network link to a gift merchant web site selling at least one gift related to the gift ideas wherein the gift merchant web site is independent from the gift reminder service provider. The gift reminder service provider electronically notifies the user prior to the event date with by sending the reminder to a second computer in communication with the gift reminder service provider to cause display of the reminder at the second computer for viewing by the user and to enable activation of the network link by the user at the second computer.

Applicant's claim 20 specifies a tangible result, a reminder being displayed at a second computer in communication with a gift reminder service provider, and enabling activation of a network link by the user at the second computer. These events happen outside the computer, gift reminder service provider, that performs tracking, generating and sending of the reminder. For these reasons, claim 20 meets statutory criteria of 35 U.S.C § 101 as applied in MPEP Section 2106. Accordingly, withdrawal of this rejection is respectfully requested.

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**Claim Rejections under 35 U.S.C. § 103**

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as unpatentable over Robertson U.S. Patent No. 6,609,106 in view of Holland U.S. Patent No. 6,618,753.

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**a. Independent Claim 1**

Applicant's independent claim 1 specifies a method of gift purchasing. The method comprises tracking at least one gift idea and a related event date for a user and then electronically notifying the user prior to the event date with a reminder from a gift reminder service provider. The reminder includes, for each at least one gift idea, at least one network link to a gift merchant web site selling a gift related to the respective at least one gift idea wherein the gift merchant web site is independent from the gift reminder service provider.

Robertson fails to disclose electronically notifying a user with a reminder from a gift reminder service provider of at least one gift idea and a related event date wherein the reminder includes a network link to a gift merchant web site selling a gift related to the at least one gift idea wherein the gift merchant web site is independent of the gift reminder service provider.

Instead, Robertson discloses a notification that includes a preferred reseller for each gift listed in the notification. The preferred reseller is identified by gift registry site 70 via a system in which gift merchants (i.e., SP sites 60) register with the gift registry site 70 in order to be listed as a preferred reseller or alternate reseller. These preferred resellers and/or alternate resellers are not identified by an internet-based search initiated by the gift registry site 70.

Applicant's claimed method is an open process in which any gift merchant web site (that has a gift for sale that is related to the gift idea) can be listed within the reminder without the gift merchant web site having to make prior registration with the gift reminder service provider. Gift reminder service provider does not control through registration which gift merchant web sites will appear in the reminder. This gift merchant web site is, therefore, independent of the gift reminder service provider.

Holland does not provide what Robertson lacks. Holland merely discloses that email messages can be sent to registrants on the eve of events. However, ~~this email message~~ merely invites registrants to generate an aggregated registry for an event, apparently at a registry web site. See Holland at Column 8, lines 23-34. Holland does not disclose an electronic notification reminder of at least one gift idea and a related event date with the reminder including a network link to an independent gift merchant web site selling a gift, as

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claimed by Applicant. Rather than merely inviting further action by a user, as in Holland, Applicant's claimed method enables further action by the user directly from the electronic notification reminder via the network link to the gift merchant web site for purchasing the gift.

For these reasons, neither Robertson nor Holland, alone or in combination, disclose or suggest or make obvious Applicant's independent claim 1. Accordingly, Applicant's believe that independent claim 1 is allowable over Robertson and/or Holland. Claims 2-8 are believed to be allowable based on their dependency from independent claim 1.

b. Independent Claim 9

Applicant's independent claim 9 specifies a computer-based gift purchasing system. The system comprises an user interface, at least one network-based reminder service provider including a notification mechanism, and a network communication link. The at least one network-based reminder service provider includes a notification mechanism configured to generate a notification viewable on the user interface. The notification lists a gift idea and a related event date. The notification includes at least one activatable network link to a gift merchant web site selling a gift related to the gift idea wherein the gift merchant web site is independent from the reminder service provider. The network communication link enables communication between the user interface, the reminder service provider, and the gift merchant web site.

For the reasons explained in Section a in association with Applicant's independent claim 1, Robertson fails to disclose electronically notifying a user with a notification, from a notification mechanism of a gift reminder service provider, of an event date and a gift idea wherein the reminder includes an activatable network link to a gift merchant web site selling a gift related to the gift idea wherein the gift merchant web site is independent of the gift reminder service provider. Unlike Robertson's closed system of SP sites 60 in SP database 72, Applicant's claimed method is an open process in which any gift merchant web site (that has a gift for sale that is related to the gift idea) can be listed within the reminder without the gift merchant web site having to make prior registration with the gift reminder service provider. Gift reminder service provider does not control through registration which gift

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merchant web sites will appear in the reminder. This gift merchant web site is, therefore, independent of the gift reminder service provider.

Holland does not provide what Robertson lacks. Holland merely discloses that email messages can be sent to registrants on the eve of events. However, this email message merely invites registrants to generate an aggregated registry for an event, apparently at a registry web site. See Holland at Column 8, lines 23-34. Holland does not disclose a notification mechanism for a gift reminder service provider that generates an electronic notification reminder of at least one gift idea and a related event date with the reminder including an activatable network link to an independent gift merchant web site selling a gift, as claimed by Applicant. Rather than merely inviting further action by a user, as in Holland, Applicant's claimed method enables further action by the user directly from the electronic notification reminder via the activatable network link to the gift merchant web site for purchasing the gift.

For these reasons, neither Robertson nor Holland, alone or in combination, disclose or suggest or make obvious Applicant's independent claim 9. Accordingly, Applicant's believe that independent claim 9 is allowable over Robertson and/or Holland. Claims 10-14 are believed to be allowable based on their dependency from independent claim 9.

**c. Independent Claim 15**

Applicant's independent claim 15 specifies a computer-based gift reminder electronic notification system. The system comprises a gift reminder service provider, a display window, and a message. The display window is viewable on a user interface of a computing device in communication with the gift reminder service provider and the display window lists at least one gift idea and a related event date. A message in the display window is received from the gift reminder service provider at a point in time prior to the event date and includes a network link to a gift merchant web site that is independent of the gift reminder service provider and that sells gifts related to the gift idea.

For the reasons explained in Section a in association with Applicant's independent claim 1, Robertson fails to a computer-based gift reminder electronic notification system in which a gift reminder service provider generates a message for receipt by a user in a display

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window wherein the display window is viewable on a user interface of a computer in communication with a gift reminder service provider and lists at least one gift idea and a related event date and in which a message received from the gift reminder service provider is viewed on the display window and includes a network link to a gift merchant web site selling a gift related to the gift idea wherein the gift merchant web site is independent of the gift reminder service provider.

Unlike Robertson's closed system of SP sites 60 in SP database 72, Applicant's claimed system is an open process in which any gift merchant web site (that has a gift for sale that is related to the gift idea) can be listed within the reminder without the gift merchant web site having to make prior registration with the gift reminder service provider. Gift reminder service provider does not control through registration which gift merchant web sites will appear in the reminder. This gift merchant web site is, therefore, independent of the gift reminder service provider.

Holland does not provide what Robertson lacks. Holland merely discloses that email messages can be sent to registrants on the eve of events. However, this email message merely invites registrants to generate an aggregated registry for an event, apparently at a registry web site. See Holland at Column 8, lines 23-34. Holland does not disclose a message viewable in a display window of a user interface of computer (in communication with the gift reminder service provider) that includes a network link to an independent gift merchant web site selling a gift related to gift idea and related event date, as claimed by Applicant. Rather than merely inviting further action by a user, as in Holland, Applicant's claimed method enables further action by the user directly from the electronic notification reminder via the activatable network link to the gift merchant web site for purchasing the gift.

For these reasons, neither Robertson nor Holland, alone or in combination, disclose or suggest or make obvious Applicant's independent claim 15. Accordingly, Applicant's believe that independent claim 15 is allowable over Robertson and/or Holland. Claims 16-17 are also allowable over Holland and/or Robertson based on their dependency from independent claim 15.

**d. Independent Claim 18**

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Applicant's independent claim 18 specifies a method of gift purchasing. The method comprises tracking gift ideas and related event dates for a user and notifying the user at a point in time prior to the event date with an electronic mail reminder from the gift reminder service provider. The reminder includes a network link to a web site of the gift reminder service provider for accessing at least one activatable link to a gift merchant web site selling a gift related to the gift idea wherein the gift merchant web site is independent of the gift reminder service provider.

Robertson fail to disclose a reminder in which gift merchant web site, to which activatable link corresponds, is independent of the gift reminder service provider. For the reasons explained in Section a in association with Applicant's independent claim 1, Robertson fails to disclose electronically notifying a user with a notification from a gift reminder service provider of an event date and a gift idea wherein the reminder includes a network link to a web site of a gift reminder service provider for accessing an activatable link to gift merchant web site selling a gift related to the gift idea, wherein the gift merchant web site is independent of the gift reminder service provider.

Unlike Robertson's closed system of SP sites 60 in SP database 72, Applicant's claimed method is an open process in which any gift merchant web site (that has a gift for sale that is related to the gift idea) can be listed within the reminder without the gift merchant web site having to make prior registration with the gift reminder service provider. Gift reminder service provider does not control through registration which gift merchant web sites will appear in the reminder. This gift merchant web site is, therefore, independent of the gift reminder service provider.

Holland does not provide what Robertson lacks. Holland merely discloses that email messages can be sent to registrants on the eve of events. However, this email message merely invites registrants to generate an aggregated registry for an event, apparently at a registry web site. See Holland at Column 8, lines 23-34. Holland does not disclose an electronic notification reminder of at least one gift idea and a related event date with the reminder including a network link to a web site of the gift reminder service provider for accessing an activatable link to an independent gift merchant web site selling a gift related to the at least one gift idea, as claimed by Applicant. Rather than merely inviting further action by a user, as in Holland, Applicant's claimed method enables further action by the user from

the electronic notification reminder via the network link to the web site of the gift reminder service provider for accessing an activatable link to an independent gift merchant web site for purchasing the gift.

For these reasons, Applicant's independent claim 18 is patentable over Robertson and/or Holland and allowance of claim 18 is respectfully requested.

e. Independent Claim 19

Applicant's independent claim 19 specifies a method of gift purchasing. The method comprises generating an electronic reminder notification, via a gift reminder service provider, of at least one event date and at least one related gift idea for a gift recipient with the notification including a network link to a plurality of gift merchant web sites, each gift merchant web site selling at least one gift related to the at least one related gift idea and being independent of the gift reminder service provider. The plurality of gift merchant web sites are identified in an internet-based search performed by the gift reminder service provider. The electronic reminder notification is sent to a user prior to the at least one event date. A purchase request for the at least one gift is received from the user at the gift merchant web site via user-activation of the network link to the gift merchant web sites.

For the reasons explained in Section a in association with Applicant's independent claim 1, Robertson fails to disclose electronically notifying a user with a notification from a gift reminder service provider of an event date and a gift idea wherein the reminder includes a network link to a plurality of gift merchant web sites wherein each gift merchant web site (selling a gift related to the gift idea).

Unlike Robertson's closed system of SP sites 60 in SP database 72, Applicant's claimed method is an open process in which any gift merchant web site (that has a gift for ~~sale that is related to the gift idea~~) can be listed within the reminder without the gift merchant web site having to make prior registration with the gift reminder service provider. Gift reminder service provider does not control through registration which gift merchant web sites will appear in the reminder. This gift merchant web site is, therefore, independent of the gift reminder service provider.

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Moreover Robertson fails to disclose a notification which discloses a plurality (more than one) network links to gift merchant web sites and fails to disclose a notification in which those independent gift merchant web sites are accessible directly from the notification, i.e., without using the gift reminder service provider as an intermediary or starting point.

Holland does not provide what Robertson lacks. Holland merely discloses that email messages can be sent to registrants on the eve of events. However, this email message merely invites registrants to generate an aggregated registry for an event, apparently at a registry web site. See Holland at Column 8, lines 23-34. Holland does not disclose a method of generating a reminder at a gift reminder service provider with the reminder including at least one activatable network link to a plurality of gift merchant web sites selling at least one gift related to the at least one gift idea wherein each gift merchant web site is independent from the gift reminder service, as claimed by Applicant. Nor does Holland disclose identifying the plurality of gift merchant web sites listed in the reminder in an internet-based search, performed by the gift reminder service provider. Rather than merely inviting further action by a user, as in Holland, Applicant's claimed method enables further action by the user directly from the electronic notification reminder via the network link to the plurality of gift merchant web sites for purchasing the gift.

For these reasons, neither Robertson nor Holland, alone or in combination, disclose or suggest or make obvious Applicant's independent claim 19. Accordingly, Applicant's believe that independent claim 19 is allowable over Robertson and/or Holland.

**f. Independent Claim 20**

Applicant's independent claim 20 comprises a computer-readable medium having computer-executable instructions for performing a method of gift purchasing. In claim 20, a gift reminder service provider tracks gift ideas and related event dates for a user. The gift reminder service provider generates a reminder including at least one activatable network link to a gift merchant web site selling at least one gift related to the gift ideas wherein the gift merchant web site is independent from the gift reminder service provider. The gift reminder service provider electronically notifies the user prior to the event date with by sending the reminder to a second computer in communication with the gift reminder service provider to



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cause display of the reminder at the second computer for viewing by the user and to enable activation of the network link by the user at the second computer.

For the reasons explained in Section a in association with Applicant's independent claim 1, Robertson fails to disclose electronically notifying a user prior to an event date with a reminder including a network link to a gift merchant web site that is independent of the gift reminder service provider. This arrangement enables access to the gift merchant web site directly from the notification independent of the gift reminder service provider.

Unlike Robertson's closed system of SP sites 60 in SP database 72, Applicant's claimed method is an open process in which any gift merchant web site (that has a gift for sale that is related to the gift idea) can be listed within the reminder without the gift merchant web site having to make prior registration with the gift reminder service provider. Gift reminder service provider does not control through registration which gift merchant web sites will appear in the reminder. This gift merchant web site is, therefore, independent of the gift reminder service provider.

Holland does not provide what Robertson lacks. Holland merely discloses that email messages can be sent to registrants on the eve of events. However, this email message merely invites registrants to generate an aggregated registry for an event, apparently at a registry web site. See Holland at Column 8, lines 23-34. Holland does not disclose a method of generating a reminder at a gift reminder service provider with the reminder including at least one network link to a gift merchant web site selling at least one gift related to the at least one gift idea wherein the gift merchant web site is independent from the gift reminder service provider, as claimed by Applicant. Rather than merely inviting further action by a user, as in Holland, Applicant's claimed method enables further action by the user directly from the electronic notification reminder via the network link to the gift merchant web site for purchasing the gift.

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For these reasons, neither Robertson nor Holland, alone or in combination, disclose or suggest or make obvious Applicant's independent claim 20. Accordingly, Applicant's believe that independent claim 20 is allowable over Robertson and/or Holland.

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**CONCLUSION**

In light of the above, Applicant believes independent claims 1, 9, 15, 18, 19, and 20 and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to either James R. McDaniel at Telephone No. (208) 396-4095, Facsimile No. (208) 396-3958 or Paul S. Grunzweig at Telephone No. (612) 767-2504, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

**Hewlett-Packard Company**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Brett M. Webb,

By his attorneys,

DICKE, BILLIG & CZAJA, PLLC  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402  
Telephone: (612) 767-2504  
Facsimile: (612) 573-2005

Date: June 1, 2004  
PSG:kls

Paul Grunzweig  
Paul S. Grunzweig  
Reg. No. 37,143

**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 15<sup>th</sup> day of June, 2004.

By Paul Grunzweig  
Name: Paul S. Grunzweig